

**REAL ESTATE APPRAISER BOARD
DECEMBER 20, 2005
CONFERENCE ROOM 6Y
6TH FLOOR, STATE OFFICE BUILDING
301 CENTENNIAL MALL SOUTH, LINCOLN, NE**

OPENING

Chairman Dan Stoeber called to order the December 20, 2005, regular meeting of the Nebraska Real Estate Appraiser Board at 9:08 a.m. Board members Tim Kalkowski, Jim Bain, Kevin Kroeger, Sheila Newell and Dan Stoeber were present. Jill Ekstein, Director, was also present.

NOTICE OF MEETING

Chairman Stoeber announced the notice of the meeting was published in the Lincoln Journal Star, a newspaper of general circulation in Nebraska, as required by the public meeting law. The public notice and proof of publication relating to this meeting are attached and made part of these minutes.

AGENDA

Chairman Stoeber asked if there were any additions or corrections to the agenda. Vice Chairman Kroeger moved to adopt the agenda. Bain seconded. The motion carried with Kalkowski, Bain, Kroeger, Newell and Stoeber voting aye.

GUESTS

Chairman Stoeber welcomed the guests in attendance. Present were Diane Moore, President of the Moore Group; Brad Moore, The Moore Group; Perre Neilan, Government Affairs Director of the Nebraska Realtors Association; Cay Lacey, Joe Wilson, Gregg Mitchell, Bob Hallstrom and Senator Chris Langemeier.

MINUTES

Chairman Stoeber asked for any additions or corrections to the minutes of the November 15, 2005, meeting. Kroeger moved to approve the minutes of the November 15, 2005, meeting. Newell seconded. The motion carried with Kroeger, Newell, Bain and Stoeber voting aye. Kalkowski abstained.

DIRECTOR'S REPORT

Director Ekstein reported the 2006 renewal of the appraisal credentials was mostly complete. She reported there were 847 appraisers to date: 277 registered, 148 licensed, 125 certified residential, 297 certified general. The pocket cards were mailed the second

week in December. Director Ekstein announced that Dan Stoeber had been reappointed to a second term.

CHAIRMAN'S REPORT

Chairman Stoeber reported on the AQB Implementation Seminar in Las Vegas. He provided an overview of the meetings and informed those in attendance of the changes in the education approval.

EXPENDITURES

Director Ekstein presented the expenditure report for the month of November. Newell moved to approve the November expense report. Kroeger seconded. The motion carried with Newell, Bain, Kroeger, Kalkowski and Stoeber voting aye.

UNFINISHED BUSINESS

Mentor Program

Newell provided the Board an application for individuals wishing to be mentors. She asked the Board to consider the application and provide her with any additions or corrections.

At 9:29 a.m. the Board took a 12 minute break.

Appraiser Act

Chairman Stoeber asked Director Ekstein to provide some background information. Ekstein reported she was waiting for another updated version of the bill. Ekstein explained the main focus of the bill was intended to be the implementation of the 2008 AQB criteria. She informed the Board she had good meetings with John Brennan from The Appraisal Foundation and Ben Henson from the Appraisal Subcommittee. The Board took a break at 9:50 a.m. Director Ekstein explained that Senator Langemeier was on his way to address the board with the revised bill. The board took a 6 minute break.

Senator Langemeier addressed the Board on the proposed bill and stated he intended to ask the Banking, Commerce and Insurance Committee to have this bill as a committee bill. He was open to the general public comments.

Gregg Mitchell addressed the Board on behalf of the Appraisal Institute. Mr. Mitchell commented on the input received by the Appraisal Institute.

Cay Lacey provided a handout to the Board with six additional items she and others believe needed to be added to the legislation. She commented on the advocacy sections of the bill which are contrary to the Uniform Standards of Professional Appraisal Practice, the definitions of real estate and real property, the AQB requirement of education for the certified levels of credential, the scope of work, and the registered appraisers.

Bob Hallstrom addressed the Board on behalf of the Banker's Association. He commented on the initial creation of the registered appraisers. Mr. Hallstrom told the Board he thought there should be adequate time given to the notion of eliminating the registered credential to ensure the trainee level of credential acquired an appropriate number of people in the industry.

Brad Moore addressed the Board and wished to thank the Chairman and the Senator for their hard work on the bill.

Joe Wilson addressed the Board. As a former regulator, he wished to commend the Board and all of the work everyone has done on the legislation.

Perre Neilan addressed the Board on behalf of the Nebraska Realtors' Association. He told the Board the bill needed to be only the AQB criteria in order to maintain Nebraska's compliance. He stressed the need for the legislation to be only the mandatory changes.

Board members expressed their thoughts on the proposed bill. Chairman Stoeber thanked Senator Langemeier for all his work. Kroeger moved to have the Nebraska Real Estate Appraiser board move forward with the Real Estate Appraiser Act as amended on 12/16/05, subject to revisions 1, 2 and 3 as outlined on the document "Suggestions for Revisions to the 12/16/05, version of the proposed Appraiser Bill" as well as other revisions that may be required. Bain seconded the motion. The motion carried with Bain, Kalkowski, Kroeger, Newell and Stoeber voting aye.

NEW BUSINESS

There was no new business.

GENERAL PUBLIC COMMENTS

There were no additional general public comments.

EDUCATION

Vice Chairman Kroeger provided an overview of the submitted education applications.

The Moore Group submitted the qualifying education course, Market Analysis & Highest and Best Use (15 hours).

The Nebraska Chapter of the Appraisal Institute submitted: Evaluating Commercial Construction (continuing education – 16 hours) and Evaluating Residential Construction (continuing education – 8 hours).

The American Society of Farm Managers and Rural Appraisers Inc. submitted: Conservation Easement Valuation and Case Studies (continuing education – 16 hours), National Uniform Standards of Professional Appraisal Practice (USPAP) Update (continuing education – 7 hours), and Cost Estimating (continuing education – 8 hours).

The Appraisal Institute submitted: National Uniform Standards of Professional Appraisal Practice (USPAP) Update (continuing education – 7 hours), Appraising the Tough Ones (continuing education – 7 hours), Business Practice and Ethics (continuing education – 7 hours), Litigation Appraising: Specialized Topics and Applications (continuing education (15 hours), Computer Enhanced Cash Flow Modeling (continuing education – 15 hours), General Demonstration Appraisal Report Writing (continuing education – 7 hours), Residential Demonstration Appraisal Report Writing (continuing education – 7 hours), Introduction to Income Capitalization (continuing education – 7 hours), Market Analysis and the Site to Do Business: A Powerful Combination (continuing education – 7 hours), Opportunities for Appraisers – Consultants Under the Brownfield Act of 2002 (continuing education – 7 hours), Real Estate Finance, Value and Investment Performance (continuing education – 7 hours), Subdivision Valuation: A Comprehensive Guide to Valuing Improved Subdivisions (continuing education – 7 hours), Uniform Appraisal Standards for Federal Land Acquisition (continuing education – 16 hours), and What Clients Would Like Their Appraisers to know: How to Meet Their Expectations (continuing education – 7 hours).

Kroeger moved to approve the qualifying education and continuing education seminars with the exception of the continuing education seminar offered by the Appraisal Institute, Business Practice and Ethics. Newell seconded. The motion carried with Bain, Kroeger, Kalkowski, Newell and Stoeber voting aye.

Kroeger moved to approve the continuing education seminar, Business Practice and Ethics submitted by the Appraisal Institute for seven hours (7) of continuing education. Bain seconded. The motion carried with Kalkowski, Bain, Kroeger and Stoeber voting aye. Newell voted no.

Kroeger moved to approve the instructors as outlined in the Instructor Approval form for the courses previously approved by the Board. Newell seconded. The motion carried with Newell, Bain, Kroeger and Stoeber voting aye.

The Board took a lunch break at 12:03 p.m.

At 1:12 p.m., Kroeger moved that the Appraiser Board go into Executive Session for the purpose of reviewing qualifications of applicants, the consideration of written complaints and for personnel matters. A closed session is clearly necessary for the prevention of needless injury to the reputation of the individual or individuals involved in the personal matters relating to applications being reviewed, performance and disciplinary matters to be considered and personnel matters. Kalkowski seconded. The motion carried with Bain, Kroeger, Newell and Stoeber voting aye. Board members and Director Ekstein were present during this executive session.

Kroeger moved the Appraiser Board come out of closed session at 1:46 p.m. Bain seconded. The motion carried with Newell, Bain, Kroeger and Stoeber voting aye.

APPLICANTS

Newell moved to approve the following applicants:

Registered

R120501 Ken McIntyre
R120502 Philip Erdman
R120503 Todd Steffes
R120504 Scott Hankins

Licensed

L501 Kathy Everman
L408 Brian Herink
L10055 Robert Nebe
L110502 Kevin James

Newell further moved:

L110503 Deny application; send letter and copy of review to applicant
L110501 Deny application; send letter and copy of review to applicant
CR120501 Send reports out for review of USPAP compliance
CR120502 Send reports out for review of USPAP compliance
CG110501 Deny application; send letter and copy of review to applicant

Kroeger seconded the motion. The motion carried with Bain, Kroeger, Kalkowski, Newell and Stoeber voting aye.

Newell moved to approve CG10051, Deborah Carstensen, to take the certified general exam. Bain seconded. The motion carried with Kalkowski, Bain, Newell and Stoeber voting aye. Kroeger abstained.

ENFORCEMENT

Newell moved the following:

- Case 05-31 Authorize Director to issue Cease and Desist Order
- Case 04-17 Dismiss
- Case 05-05 Authorize Director to sign and send out formal complaint

Bain seconded the motion. The motion carried with Bain, Kroeger, Newell, Kalkowski and Stoeber voting aye.

Newell moved to authorize Director to sign and send out formal complaint in Case 05-15. Kalkowski seconded the motion. The motion carried with Kroeger, Newell, Kalkowski, and Bain voting aye. Stoeber abstained.

Kroeger moved to authorize Director to sign and send out formal complaint in Case 05-14. Bain seconded the motion. The motion carried with Kalkowski, Bain, Kroeger and Stoeber voting aye. Newell abstained.

JANUARY MEETING DATE

The next meeting of the Nebraska Real Estate Appraiser Board will convene at 9:00 a.m., Tuesday, January 24, 2006. The meeting was adjourned at 2:00 p.m.

Respectfully Submitted,

Jill Ekstein
Director

These minutes were available for public inspection on December 27, 2005, in compliance with Nebraska Statute §84-1413(5).